

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*Sweet, S.*

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BUILDING SERVICE 32BJ HEALTH FUND,  
BUILDING SERVICE 32BJ LEGAL SERVICES  
FUND, BUILDING SERVICE 32BJ THOMAS  
SHORTMAN TRAINING, SCHOLARSHIP AND  
SAFETY FUND,

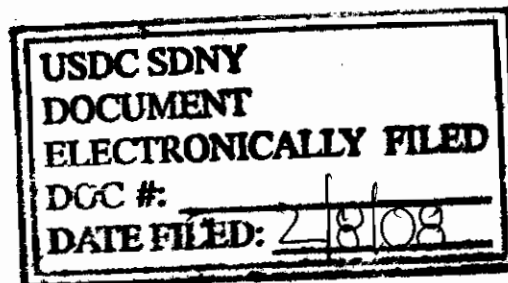
Plaintiffs,

08-CV-00898 (RWS)(JCF)

-against-

SHAMROCK ACQUISITIONS, CORP. d/b/a  
SHAMROCK BUILDING SERVICES AND  
SHAMROCK BUILDING SERVICES CORPORATION  
d/b/a SHAMROCK BUILDING SERVICES,

Defendant.  
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**ORDER TO SHOW CAUSE FOR  
PRELIMINARY MANDATORY INJUNCTION**

Upon the affidavits of Nelson Valle and Ira A. Sturm, duly sworn to on January 31, 2008, and the exhibits annexed thereto, and upon the accompanying Memorandum of Law in support of this application and upon all prior proceedings before this Court in this matter, and it appears from the allegations in the papers submitted by the Building Service 32B-J Health Fund, the Building Service 32B-J Legal Services Fund and the Building Service 32B-J Thomas Shortman Training, Scholarship and Safety Fund, collectively referred to as the "Funds", that the Funds and the employees of Shamrock Acquisitions, Corp. d/b/a Shamrock Building Services and Shamrock Building Services Corporation d/b/a/ Shamrock Building Services, herein jointly referred to as "Shamrock", will suffer irreparable harm absent preliminary mandatory injunctive relief, and the Funds having made no prior application for the relief herein requested, it is hereby ORDERED that Shamrock show cause, if any there be, before the Honorable Robert W. Sweet, Judge of the United States District Court for the Southern District of New York, at      o'clock in the      noon on

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the 12<sup>th</sup> day of February, 2008, Courtroom 15C, of the United States Courthouse, 500 Pearl Street, New York, New York, or as soon thereafter as counsel may be heard, why a preliminary mandatory injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure should not be granted, ordering Shamrock, its officers, agents, employees and all others acting on its behalf, to remit to the Funds all sums due to the Funds pursuant to Shamrock's collective bargaining agreement with Service Employees International Union, Local 32BJ, for the periods July 1, 2005 to the date of the Order of the Court, plus interest and liquidated damages on said delinquent contributions; and that Shamrock be further ordered to make all future payments to the Funds as and when same become due; and for a further order directing Shamrock to cease and desist from becoming or remaining delinquent in its contributions to the Funds, for all times that Shamrock is contractually required to make such contributions to the Funds.

✓ Security in the amount of \$ \_\_\_\_\_ will be posted by \_\_\_\_\_  
 Service of the within Order and the papers upon which it is based shall be effected upon

Shamrock, by electronic mail to Shamrock's president at email address cac1@mac.com and by mailing via the United States Postal Service, overnight delivery, to Shamrock at 10901 Danka Circle North, St. Petersburg, Florida, 33716 and 280 Ocean Drive East, Stamford, Connecticut, 06906, on

or before 5 p.m. on the 6<sup>th</sup> day of February, 2008. Answering papers if any, shall be served by e-filing the answering papers pursuant to the procedures for electronic filing as are in effect for the United States district Court for the Southern District of New York, and by delivering a copy of same to the court or by facsimile to the Honorable Robert W. Sweet at telephone number (212)

✓ 805-7925 and by delivering a copy of same to the offices of Raab, Sturm, Goldman & Ganchrow, LLP., attorneys for the Funds, located at 317 Madison Avenue, Suite 1708, New York, New York

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✓  
✓  
10017 or by facsimile to the Funds' attorneys at telephone number (212) 779-8596, or by electronic mail to isturm@rsgllp.com on or before 10 A m. on the 12<sup>th</sup> day of February, 2007.

SO ORDERED

[Signature]  
U.S.D.J.

Date:

2-6-08

Time:

9 55 AM